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09/702,241	10/30/2000	David Ian Houlding	92717-294USPT	9443

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Raymond Van Dyke
Jenkens & Gilchrist P C
3200 Fountain Place
1445 Ross Avenue
Dallas, TX 75202-2799

EXAMINER	
PEREZ DAPLE, AARON C	

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 11/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	**Application No.** 09/702,241	**Applicant(s)** HOULDING ET AL.
	Examiner Aaron C Perez-Daple	**Art Unit** 2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 July 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This Action is in response to Amendment filed 7/19/04, which has been fully considered.

2. Amended claims 1-6 and new claims 7-14 have been presented for examination.

3. This Action is Final.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-5** are rejected under 35 U.S.C. 102(e) as being anticipated by Prinzing (US 6,496,202 B1) (hereinafter Prinzing).

6. Prinzing is cited by the Examiner in a previous Office Action.

7. As for claim 1, Prinzing discloses a method for visualizing any architecture during conceptual, development and deployment phases of a system, said method comprising the steps of:

receiving information regarding an event (col. 5, lines 48-60);

determining a look of an application (col. 4, line 66 – col. 5, line 19);

determining a feel of an application (col. 4, line 66 – col. 5, line 19);

receiving events at an event service delivery agent (col. 4, lines 25-35; col. 6, lines 44-55; controller 512, Fig. 5B);

forwarding the events to a model component of the architecture in the form of callbacks (col. 6, lines 44-55);

reading configuration information during initialization at application startup (This step is considered inherent for presenting the initial GUI view of the application, because the GUI could not be presented without first being configured and initialized.), wherein the configuration information is adaptable to a plurality of different middlewares (Java, SGML, and HTML are middleware independent languages. See previously cited US 6,275,225 B1, lines 38-43.; col. 9, lines 14-24; col. 10, lines 64-66); and

presenting the associated behavior of the system (col. 6, lines 38-43).

8. As for claim 2, Prinzing teaches the method of claim 1, wherein said step of presenting comprises the step of presenting said architecture in simulation mode (col. 4, lines 47-55).

9. As for claim 3, Prinzing teaches the method of claim 1, wherein said step of presenting comprises the step of presenting said architecture in a continuous, free-running mode (col. 4, lines 58-65).

10. As for claim 4, Prinzing teaches the method of claim 1, wherein said step of presenting comprises the step of presenting a deployed implementation of the architecture (col. 6, lines 56-65).

11. As for claim 5, Prinzing teaches the method of claim 1, wherein said configuration information further comprises:

abstract information in the form of tiers, components, communication paths and events (col. 6, lines 44-55; col. 7, lines 34-51);

presentation information in the form of how many display views are required to present the architecture, and how to respond visually when events are received (col. 6, line 56 – col. 7, line 16);

controller information that may specify details that determine how the particular controller implementation behaves (col. 6, lines 44-55; col. 16, lines 30-33); and

integration information that may be used by the particular implementation of an event service delivery agent (col. 5, lines 6-19; col. 5, lines 48-60).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

13. **Claims 6-10, 13 and 14** are rejected under 35 U.S.C. 103(a) as being unpatentable over Prinzing (US 6,496,202 B1) (hereinafter Prinzing) in view of Kuznetsov (US 6,772,413 B2) (hereinafter Kuznetsov).

14. Kuznetsov is newly cited by the Examiner.

15. As for claim 6, Prinzing discloses an architecture visualization system for visualizing any architecture during conceptual, development or deployment phases of a system, said architecture visualization system further comprising:

a model component for receiving information regarding events (model 506, Fig. 5A; col. 4, lines 15-24);

a view component for determining a look of an application (view 504, Fig. 5A; col. 4, lines 15-24);

a controller for effectively determining a feel of the application (controller 512, Fig. 5A; col. 4, lines 25-35);

an event service delivery agent for receiving and delegating requests (col. 5, lines 55-67); and

a configuration (col. 5, lines 6-18), wherein the configuration is adaptable to a plurality of different middlewares (Java, SGML, and HTML are middleware independent languages. See previously cited US 6,275,225 B1, lines 38-43.; col. 9, lines 14-24; col. 10, lines 64-66).

Prinzing does not specifically disclose using XML to specify the configuration. Kuznetsov teaches using XML to specify a configuration in order to accommodate multiple protocols and formats (col. 1, lines 47-55; col. 5, line 43 – col. 6, line 10). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Prinzing by using XML to specify the configuration in order to accommodate multiple protocols and formats, as taught by Kuznetsov above.

16. As for claim 7, Prinzing discloses a system for visualizing an application architecture, the system comprising:

an event service interface for receiving events (col. 5, lines 55-67; col. 17, lines 45-60);

an event service delivery agent for receiving the middleware or protocol independent events and managing delivery of events to an application (col. 5, lines 55-67);

a model component for receiving middleware or protocol independent events from the event service delivery agent (model 506, Fig. 5A; col. 4, lines 15-24);

a view component receiving middleware or protocol independent events from the model component, the view component for visualizing behavior of an application during at least one of conception, development, and deployment of the application (view 504, Fig. 5A; col. 4, lines 15-24); and

a controller for managing the behavior of the application, an implementation of the controller being adaptable based on the middleware communicating with the application (factory 502, Fig. 5A; col. 2, lines 7-19; col. 5, lines 29-47).

Prinzing does not specifically disclose translating middleware or protocol dependent events into middleware or protocol independent events. Kuznetsov teaches translating middleware or protocol dependent events into middleware or protocol independent events in order to accommodate multiple protocols and formats (col. 5, lines 4-20; col. 5, line 59 – col. 6, line 10). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Prinzing by translating middleware or protocol dependent events into middleware or protocol independent events in order to accommodate multiple protocols and formats, as taught by Kuznetsov above.

17. As for claim 8, Prinzing does not specifically disclose using XML to specify the configuration for creating implementations of the event service delivery agent and the controller. Kuznetsov teaches using XML to specify a configuration for creating implementations of an event service delivery agent and a controller in order to accommodate multiple protocols and formats (col. 1, lines 47-55; col. 5, line 43 – col. 6, line 10). It would

have been obvious to one of ordinary skill in the art at the time of the invention to modify Prinzing by using XML to specify the configuration for creating implementations of the event service delivery agent and the controller in order to accommodate multiple protocols and formats, as taught by Kuznetsov above.

18. As for claim 9, Prinzing discloses a system similar to claim 8, wherein the controller manages behavior of the application based on at least one of information received from the view component, the model, and configuration information related to the controller (col. 2, lines 7-19; col. 5, lines 29-47).

19. As for claim 10, Prinzing discloses a system similar to claim 8, wherein the configuration information comprises:

abstract information in the form of tiers, components, communication paths and events (col. 6, lines 44-55; col. 7, lines 34-51);

presentation information in the form of how many display views are required to present the architecture, and how to respond visually when events are received (col. 6, line 56 – col. 7, line 16);

controller information that may specify details that determine how the particular controller implementation behaves (col. 6, lines 44-55; col. 16, lines 30-33); and

integration information that may be used by the particular implementation of an event service delivery agent (col. 5, lines 6-19; col. 5, lines 48-60).

20. As for claim 13, Prinzing discloses a system similar to claim 7, wherein the view component creates a visualization based on configuration information (col. 4, lines 15-24; col. 6, lines 56-65).

21. As for claim 14, Prinzing discloses a system similar to claim 7, wherein the event service delivery agent forwards events to the model component as a callback instruction (col. 5, lines 48-67).

22. **Claims 11 and 12** are rejected under 35 U.S.C. 103(a) as being unpatentable over Prinzing and Kuznetsov in view of Huang et al. (US 6,714,217 B2) (hereinafter Huang).

23. Huang is cited by the Examiner in a previous Office Action.

24. As for claim 11, Prinzing and Kuznetsov do not specifically disclose creating different views of the application depending on whether the system is in a conception mode, a development mode or a deployment mode. Huang teaches creating different views of the application depending on whether the system is in a conception mode, a development mode or a deployment mode for the purpose of configuring, testing and monitoring a communications network (col. 3, lines 8-34). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Prinzing and Kuznetsov by creating different views of the application depending on whether the system is in a conception mode, a development mode or a deployment mode for the purpose of configuring, testing and monitoring a communications network, as taught by Huang above.

25. As for claim 12, Prinzing and Kuznetsov do not specifically disclose slowing down event visualization in a demonstration mode. Huang teaches slowing down event visualization in a demonstration mode in order to allow a user to see messages traveling on a simulated network (col. 25, lines 27-37). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Prinzing and Kuznetsov by slowing down event

visualization in a demonstration mode in order to allow a user to see messages traveling on a simulated network, as taught by Huang above.

Response to Arguments

Claim Objections

26. Objections to claims 3-5 are hereby withdrawn in view of Amendment.

112 Claim Rejections

27. The rejection of claims 1-6 under 35 USC 112, second paragraph, is hereby withdrawn in view of Amendment. With respect to the limitation "a feel" of an application, the Examiner finds that the limitation is not indefinite but merely broad. The Examiner interprets that "the feel" may reasonably be interpreted to mean visual characteristics or behavioral characteristics of an application.

102 Claim Rejections

28. Applicant's arguments filed 7/19/04 with respect to claims 1-7 have been considered but are moot in view of the new ground(s) of rejection.

The Examiner notes that the limitation of a system for use during conceptual, development or deployment phases of a system, as recited in the preamble of claims 1 and 6, holds no patentable weight because the limitation is directed towards the intended use of the invention (see MPEP 2111.02).

Second, the Examiner points out that limitations from the specification have no direct bearing on the claims. Therefore, any differences between the configuration information of the applied prior art and the configuration information as presented in the specification but not explicitly claimed are moot.

Conclusion

29. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: US 6,697,825 B1, note abstract.

30. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

31. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron C Perez-Daple whose telephone number is (571) 272-3974. The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

11/1/04

Aaron Perez-Daple

N. ElHady